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Attorneys for Plaintiffs New Jersey Division of Consumer Affairs

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

People of the State of California, et al.

v.

Meta Platforms, Inc., Instagram, LLC, Meta
Payments, Inc., Meta Platforms Technologies,
LLC

Office of the Attorney General, State of Florida,
Department of Legal Affairs

v.

Meta Platforms, Inc., Instagram, LLC.

MDL No. 3047

Case Nos.: 4:23-cv-05448-YGR

4:23-cv-05885-YGR

**DECLARATION OF THOMAS HUYNH
IN SUPPORT OF STATE ATTORNEYS
GENERAL'S ADMINISTRATIVE
MOTION SEEKING AN EXTENSION
TO SUBMIT JURY ENTITLEMENT
CHART**

Judge: Hon. Yvonne Gonzalez Rogers

Magistrate Judge: Hon. Peter H. Kang

IN RE: SOCIAL MEDIA ADOLESCENT
ADDICTION/PERSONAL INJURY PRODUCTS
LIABILITY LITIGATION

THIS DOCUMENT RELATES TO:

4:23-cv-05448, 4:23-cv-05885.

I, THOMAS HUYNH, declare and state as follows:

1. I am the Assistant Section Chief, Deputy Attorney General, in the Data Privacy and Cybersecurity Section of the Division of Law of the New Jersey Department of Law and Public Safety. I am a member of good standing of the State Bar of New Jersey. I make this declaration based on my own personal knowledge. If called upon to testify, I could and would testify completely to the truth of the matters stated herein.

2. I submit this declaration, as required by Civil Local Rule 7-11, in support of the State Attorneys General Administrative Motion Seeking an Extension to Submit Jury Entitlement Chart.

3. At the February 23, 2024 Case Management Conference (“CMC”) and in the Court’s Case Management Order (“CMO”) No. 11 (ECF 646), the State Attorneys General (“State AGs”) and Defendant Meta Platforms, Inc. (“Meta”) were ordered to meet and confer about their understanding of *Tull v. United States*, 481 U.S. 412 (1987).

4. Pursuant to CMO No. 11 (ECF 646), to the extent the parties disagree, the parties are to submit to the Court their understanding of *Tull* and how it applies in this proceeding, by March 15, 2024.

5. Additionally, CMO No. 11 (ECF 646) directed the State AGs to “identify in an editable chart under which statutory provisions (or otherwise) they seek (i) liability, and (ii) remedy, breaking out the kind of remedy on separate lines (injunctive, statutory, restitution, disgorgement, etc.), and whether a jury or non-jury trial is permitted for a given request for a finding of liability or relief. The States will send that chart to defendants, who can note on each line whether they agree or disagree with the States’ articulation of the jury entitlement.”

7. The State AGs and Meta agree that *Tull* and its progeny cases control the question of whether either party is entitled to a jury trial in this federal action.

9. To the extent that the Court seeks to review the chart to address the entitlement to a jury on each state's claim for liability and remedy requested under *Tull*, the State AGs file the within motion requesting an extension of this Court's March 15, 2024 deadline to produce the chart pending clarification as to the scope of the chart requested, at which time the appropriate length for an extension can be determined.

10. Meta does not object to the State AGs' request for an extension contingent on the filing of this administrative motion.

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 15, 2024, in Newark, New Jersey.

DATED: March 15, 2024

/s/ Thomas Huynh
THOMAS HUYNH
Deputy Attorney General